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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

BIENHAUS et al.

Art Unit: 1634

Application No.: 09/558,038

Examiner: A. Chakrabarti

Filed: April 26, 2000

Attorney Dkt. No.: 101614-00001

For: SYSTEM FOR THE RELEASING AND ISOLATING NUCLEIC ACIDS

**RESPONSE UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
Washington, D.C. 20231

Date: August 23, 2002

Sir:

In response to the Office Action dated May 24, 2002, please amend the above-identified patent application as follows.

**IN THE CLAIMS:**

Please amend the claims as follows. A marked-up copy of the amended claims is attached.

13. (Amended) A method of isolating nucleic acids from biological compartments of a fluid sample comprising the steps of:

incubating the sample in a sample processing vessel with magnetic particles which magnetic particles are capable of binding with the biological compartments;

positioning at least one magnet towards the sample processing vessel to hold the magnetic particles against an inside wall of the sample processing vessel by magnetic force;

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